USACE DRUG TESTING PROCEDURES FOR

The Army's Drug-Free Federal Workplace Civilian Drug Testing Program

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OUR OBJECTIVE TODAY

- Explain the Requirements and Procedures of the Program
- Explain the Roles and Responsibilities for all involved
- Answer Any Questions and Address any concerns

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AGENDA FOR TODAY'S WORKSHOP

- Authority to Test
- Types of Drug Testing
- Testing Designated Positions (TDPs)
- Initial Notification Process
- Urine Collection Procedures
- Consequences of Illegal Drug Use
- Helping One with a Drug Problem (EAP)

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Legal & Regulatory Basis

Executive Order 12564 (September 15, 1986)

- The Federal Government, as the largest employer in the nation, can and should show the way towards achieving drug-free workplaces through a program designed to offer drug users a helping hand and at the same time demonstrating to drug users that drugs will not be tolerated in the Federal workplace

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Legal & Regulatory Basis (cont)

- The EO directs agencies to take steps to achieve a drug-free federal workplace. We are required to:
  - Develop a Drug-free workplace plan
  - Issue policy statements prohibiting drug use
  - Provide assistance to help employees
  - Train supervisors and employees
  - Finally, EO requires establishing of a drug testing program

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Legal & Regulatory Basis
(cont)

- 1987 Public Law 100-71
- 1988 Health & Human Services (HHS)

  Mandatory Guidelines for Federal Workplace

  Testing Programs

  - Established Scientific & Technical Standards for drug testing of Federal employees and also certification of drug testing labs

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Legal & Regulatory Basis (cont)

- DoD Directive 1010.9 – “DoD Civilian Employee Drug Abuse Testing Program”
- AR 600-85 – “Alcohol and Drug Abuse Prevention and Control Program”
- EP 600-1-3 – “USACE Drug Testing Procedures

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Legal & Regulatory Basis (cont)

- Commander's Policy Memorandum #7

  "… it is the policy of the U.S. Army Corps of Engineers that use of illegal drugs on or off duty will not be tolerated."

  Signed: 3 April 2001

  ROBERT B. FLOWERS

  Lieutenant General, USA

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TYPES OF DRUG TESTING

- Reasonable Suspicion Testing
- Accident or Unsafe Practice
- Voluntary Testing
- Follow-Up Testing
- Applicant Testing – (TDPs Only)
- Random Testing – (TDPs Only)

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REASONABLE SUSPICION

- ALL DA civilian employees are subject to

  - Non-TDPs (on duty use or impairment)

  - TDPs – (on or off duty use or impairment)

Cannot be based on hunches or rumors.

Reasons for ordering this test include: (1) arrest or conviction of a drug related offense (2) seeing drug use or possession (3) physical symptoms or

(4) evidence of tampering with a previous test.

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ACCIDENT OR UNSAFE PRACTICE

- ALL DA civilian employees are subject to testing if there is an examination authorized by the Commander regarding an accident or unsafe practice when:
  - Accident results in a death
  - Immediate hospitalization
  - Damages exceed $ 10,000

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VOLUNTARY TESTING

- Available to all non TDP employees who choose to demonstrate their commitment to the Army's goal of a Drug-Free Workplace and who want to set an example for others.

- Note: Voluntary testing employees are subject to the same penalties for positive testing as TDPs.

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FOLLOW-UP TESTING

- This is testing for employees who have
successfully completed

or are
enrolled in rehabilitation for illegal drug use. Employees under this type of testing are subject to unannounced follow-up testing for 12 months.

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APPLICANT TESTING

- Applies only to Testing Designated Positions (TDPs)
- An applicant who is tentatively selected for a Testing Designated Position (TDP) must be tested and found to be drug-free before appointment.

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RANDOM TESTING

- Involves TDPs only
- It is unannounced
- Randomly selected from the Division Pool
- Random Selections are done at least quarterly by our Division POC
- The annual Goal is to test 50% of the Total Pool

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TESTING DESIGNATED POSTIONS (TDPs)

- Sensitive positions or categories of positions that involve:
  - Law enforcement, national security
  - Protection of life and property or public health and safety

    - TDPs are characterized by critical safety or security responsibilities.

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ARMY-WIDE CATEGORIES

- Positions which authorizes incumbent to carry firearms
- Law enforcement personnel with drug interdiction duties who have access to firearms
- **Position requires incumbent to operate a motor vehicle which carries passengers on at least a weekly basis**
- **Operation of motor vehicles require a Commercial Driver's License (CDL) and operators of motor vehicles transporting hazardous materials (no CDL required)**
- **Position which requires incumbent to maintain Top Secret Clearance or have access to sensitive information**

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ARMY-WIDE CATEGORIES (cont)

- Railroad personnel
- Aviation flight crewmembers, air traffic controllers, etc.
- Jobs in the Army Alcohol and Drug Abuse and Prevention Control Program who are involved in treating and rehabilitating illegal drug abusers
- Jobs which require enrollment in Army's Personnel Reliability Program – Nuclear & Chemical responsibilities
- Jobs requiring supervision or performance of fire fighting
- Jobs handling munitions or explosives (storage, transportation, etc)
- Jobs which require work with explosives or other dangerous materials when electroplating critical aircraft parts

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USACE-WIDE CATEGORIES

- Four Major Categories Covered
  - Category 1 = Operate Surface Vessels
  - Category 2 = Operate Navigational Locks
  - Category 3 = Operate Flood Control Gates
  - Category 4 = Operate Water Treatment Plant

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Operate Surface Vessels

Positions that require the incumbent to operate any surface vessel (26 feet or more) whether powered or not, including dredging equipment, in which the duties include operating, navigating, steering, directing, or sailing the vessel, operating engines of a vessel while underway, or operating the spud(s) on a dredge.

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Operate Surface Vessels (cont)

- Positions in this category include:
  - 5479 Dredging Equipment Operator
  - 5782 Ship Operator
  - 5784 Riverboat Operator
  - 5786 Small Craft Operator
  - 4742 Engine & Machinery Operation & Repair
  - 5788 Vessel Deck Crew (Boatswain, Deckhand, etc)

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OPERATE NAVIGATIONAL LOCKS

- Positions that require the incumbent to operate navigational locks for passage of marine surface traffic or that involve dispatching and clearing marine surface traffic in and out of narrow ship canals, to include marine traffic controllers.

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OPERATE NAVIGATIONAL LOCKS (cont)

- Positions in this category include:
  - 2101 Transportation Specialists
  - 2150 Transportation Operations
  - 5426 Lock & Dam Operator
  - 5318 Lock & Dam Equipment Worker/Mechanic/Mechanic Supervisor

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OPERATE FLOOD CONTROL GATES

- Positions that require the incumbent to operate flood control gates to control water levels on waterways, to include dam operators
- Positions in this category include:
  - 5426 Lock & Dam Operator
  - 4749 Flood Control Maintenance Workers
  - 5407 Power Plant Operator

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OPERATE WATER TREATMENT PLANT

- Positions that require the incumbent to operate a water treatment plant to produce potable water for community and government use in which the duties include laboratory testing of water samples or the introduction of potentially hazardous chemicals and compounds into the water in the course of treatment.

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ARMY-WIDE CATEGORY

- Positions which require weekly operation of a motor vehicle, require a CDL, or require incumbent to maintain a Top Secret Clearance
- Positions in this category include:
  - 0080 Security Officer
  - 0018 Safety & Occupational Health Manager
  - 5703 Motor Vehicle Operator
  - 5725 Crane Operator
  - 0810 Supervisory Civil Engineer
  - 0301 Information Management Specialist

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INITIAL NOTIFICATION PROCESS

- Met with Unions to Discuss Implementation
- S-All message of 14 May 01 Distributing two key documents (LTG Flowers' and COL Davis' memorandums of support)
- Training of Supervisors and the Workforce
- Individual Notification of Employees in TDPs (at least 30 days advance of start)
- 31 July 01 – USACE Implementation Date

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ROLES & RESPONSIBILITIES

- MVD – Division Drug Program Coordinator (DPC) will be responsible for maintaining the TDP pool for random selection and notification to Districts of employees randomly selected
- District Drug Program Coordinator is James Sturcke in Occupational Health Office will schedule required collections
- Supervisors are responsible for the direct notification to their employees when pulled
- CPAC/OC are responsible for advising and assisting both supervisors and employees

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COLLECTION & TESTING PROCESS

- Department of Interior (DOI) and USACE have an Interagency Agreement which includes:
  - Specimen Collection
    - NOD Health Office has been approved as an acceptable collection site
    - Various collection sites available throughout Louisiana
  - Laboratory Analysis
    (NWT, Inc located in Salt Lake City, UT)
  - Medical Review

    (Greystone Health Sciences, Inc. – San Diego, CA

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COLLECTION SITES

New Orleans District Occupational Health Clinic 504-862-2206

Alexandria **Rapids General Hospital** Industrial Medical Clinic 211 4th Street Alexandria, La. 71301 318-473-3175	***Baton Rouge*** **Our Lady of the Lake** Industrial Medical Center 13525 Perkins Road Baton Rouge, La 70810 225-767-7705	***Baton Rouge*** **Our Lady of the Lake** Industrial Medical Center 7807 Greenwell Springs Road Baton Rouge, La. 70814 225-765-4425
Lafayette **Occupational Medical Clinic of Acadiana** 3305 West Pinhook Road Lafayette, La. 70508 337-233-4480	***Morgan City*** **Russo Clinic** 1124 Seventh Street Morgan City, La 70380 985-384-1562	***Sulphur*** **Business Health Partners** 301 City Services Blvd. Sulphur, La. 70663 337-626-1011

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SPECIMEN COLLECTION

- DHHS government-wide procedures
- On-Site or Clinic
- Individual Privacy (unobserved)
- Employee is asked to:
  - Show photo ID
  - Remove any coats, etc.
  - Wash hands

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SPECIMEN COLLECTION
(cont)

- Collector Checks for:
  - Volume (minimum 30 ml)
  - Temperature and color
  - Collector Applies tamper-evident seal and employee initials
  - Collector completes custody Control Form to include Employee initials
  - Collector ships specimen to DoD/HHS certified laboratory

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SPECIMEN COLLECTION
(cont)

- Direct Observation – If there is a reason to believe that the individual may have altered or substituted the specimen, another specimen will be collected under direct observation by a same gender collector.

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LABORATORY ANALYSIS

- DoD/HHS certified laboratory will test specimens for:
  - Amphetamines
  - Opiates
  - Phencyclidine (PCP)
  - Cocaine
  - Marijuana

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LABORATORY ANALYSIS
(cont)

- Initial Test
- If positive, confirmatory test
- Results to Medical Review Officer

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MEDICAL REVIEW OFFICER

- Receives all laboratory results “-” & “+”
  - No further action for negatives
  - Positives
    - Reviews Chain of Custody
    - Contacts employee to discuss reasons for positive
    - No action taken if medically justified
    - Verified Positives
      - Notifies Division Drug Program Coordinator (DPC)
      - Division DPC contacts District DPC
      - District DPC contacts supervisor

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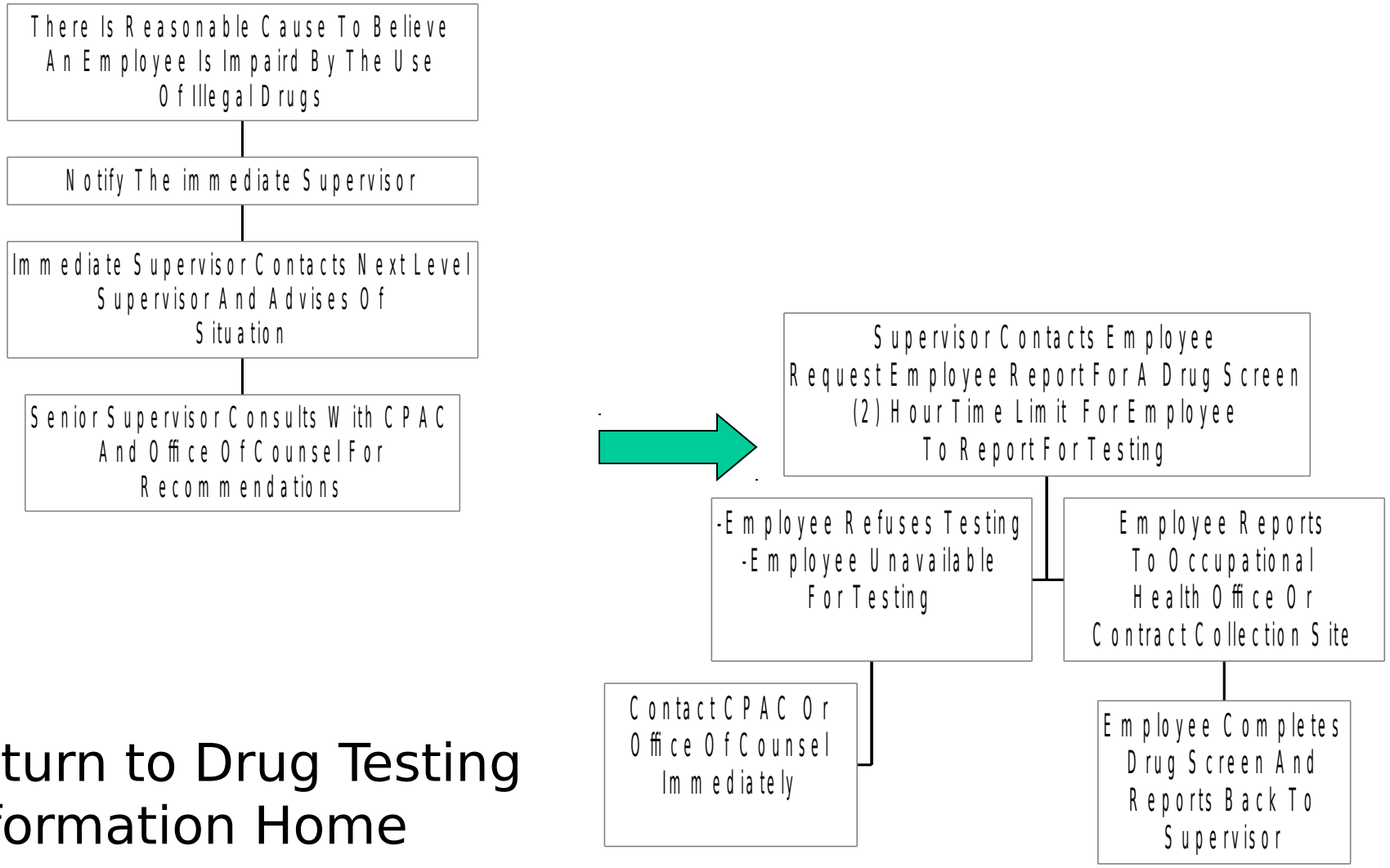
Reasonable Suspicion Testing Flow Chart


There Is Reasonable Cause To Believe An Employee Is Impaird By The Use Of Illegal Drugs
Notify The immediate Supervisor
Immediate Supervisor Contacts Next Level Supervisor And Advises Of Situation
Senior Supervisor Consults With CPAC And Office Of Counsel For Recommendations
Supervisor Contacts Employee Request Employee Report For A Drug Screen (2) Hour Time Limit For Employee To Report For Testing
-Employee Refuses Testing
-Employee Unavailable For Testing
Employee Reports To Occupational Health Office Or Contract Collection Site
Contact CPAC Or Office Of Counsel Immediately
Employee Completes Drug Screen And Reports Back To Supervisor

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REASONABLE SUSPICION TESTING

To be completed by the immediate supervisor:

Name of employee: _____

Position: _____

Testing Designated Position: Yes No

Specifically state the reason for ordering the test: Reasons for ordering this test include: arrest or conviction of a drug related offense; observation of drug use or possession; physical symptoms of being under the influence of a drug; evidence that an employee tampered with a previous drug test; appearance, behavior; speech. Specifically describe what happened to cause you to make this determination.

First Level Supervisor: _____ Date: _____

Second Level Supervisor: _____ Date:_____

CPAC Representative: _____ Date: _____

Labor Counselor: _____ Date: _____

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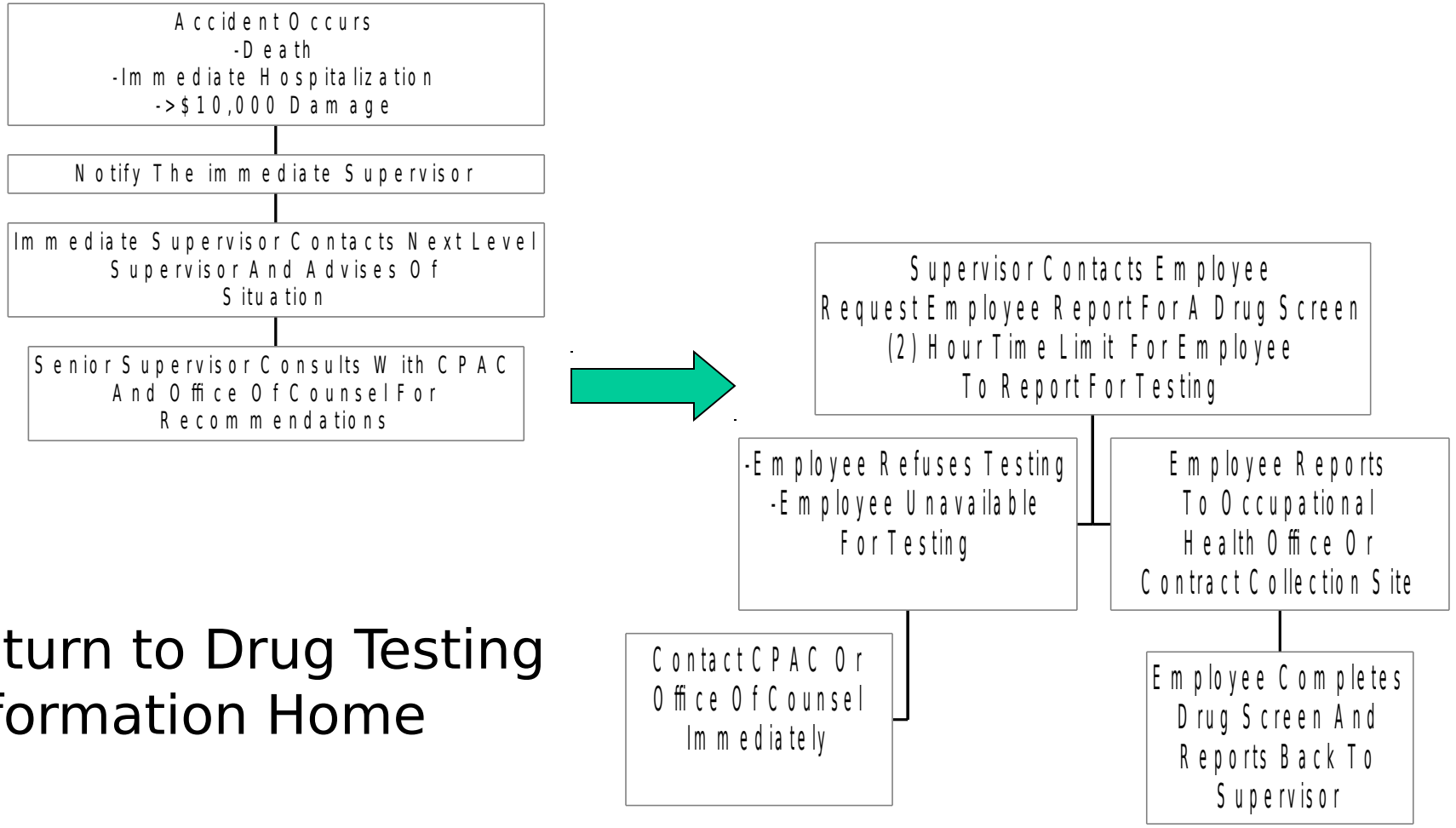
Accident or Unsafe Practice Testing Flow Chart


Accident Occurs
-Death
-Immediate Hospitalization
->$10,000 Damage
Notify The immediate Supervisor
Immediate Supervisor Contacts Next Level Supervisor And Advises Of Situation
Senior Supervisor Consults With CPAC And Office Of Counsel For Recommendations
Supervisor Contacts Employee
Request Employee Report For A Drug Screen
(2) Hour Time Limit For Employee To Report For Testing
-Employee Refuses Testing
-Employee Unavailable For Testing
Employee Reports To Occupational Health Office Or Contract Collection Site
Contact CPAC Or Office Of Counsel Immediately
Employee Completes Drug Screen And Reports Back To Supervisor

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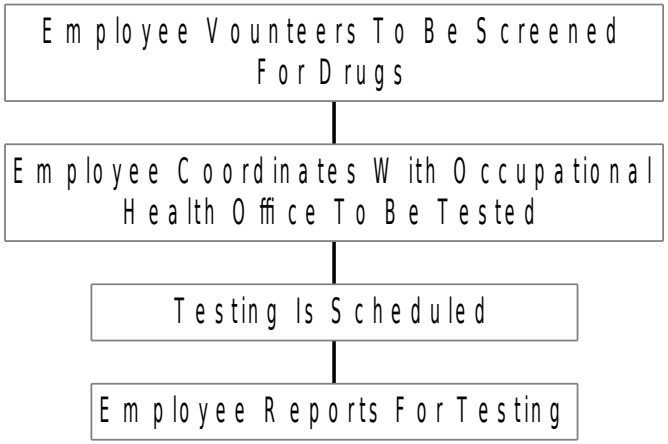
Voluntary Testing Flow Chart


Employee Vounteers To Be Screened For Drugs
Employee Coordinates With Occupational Health Office To Be Tested
Testing Is Scheduled
Employee Reports For Testing

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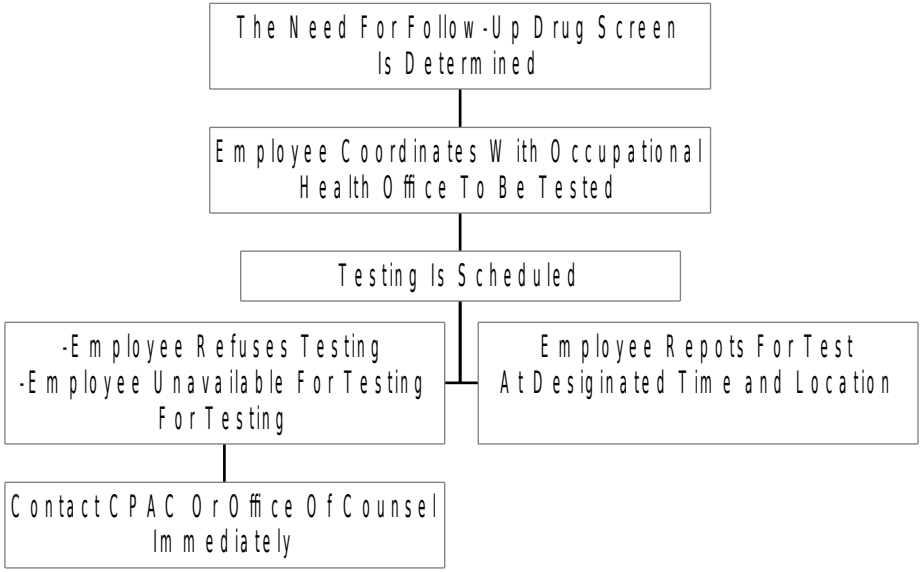
Follow-Up Testing Flow Chart


The Need For Follow-Up Drug Screen Is Determined
Employee Coordinates With Occupational Health Office To Be Tested
Testing Is Scheduled
-Employee Refuses Testing
-Employee Unavailable For Testing For Testing
Employee Repots For Test At Desiginated Time and Location
Contact CPAC Or Office Of Counsel Immediately

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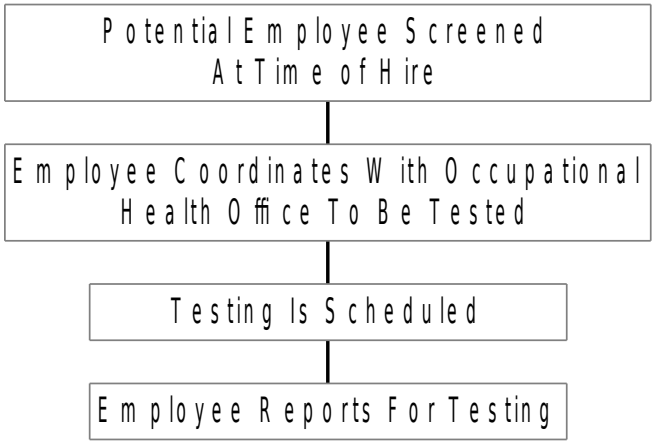
Applicant Testing Flow Chart


Potential Employee Screened At Time of Hire
Employee Coordinates With Occupational Health Office To Be Tested
Testing Is Scheduled
Employee Reports For Testing

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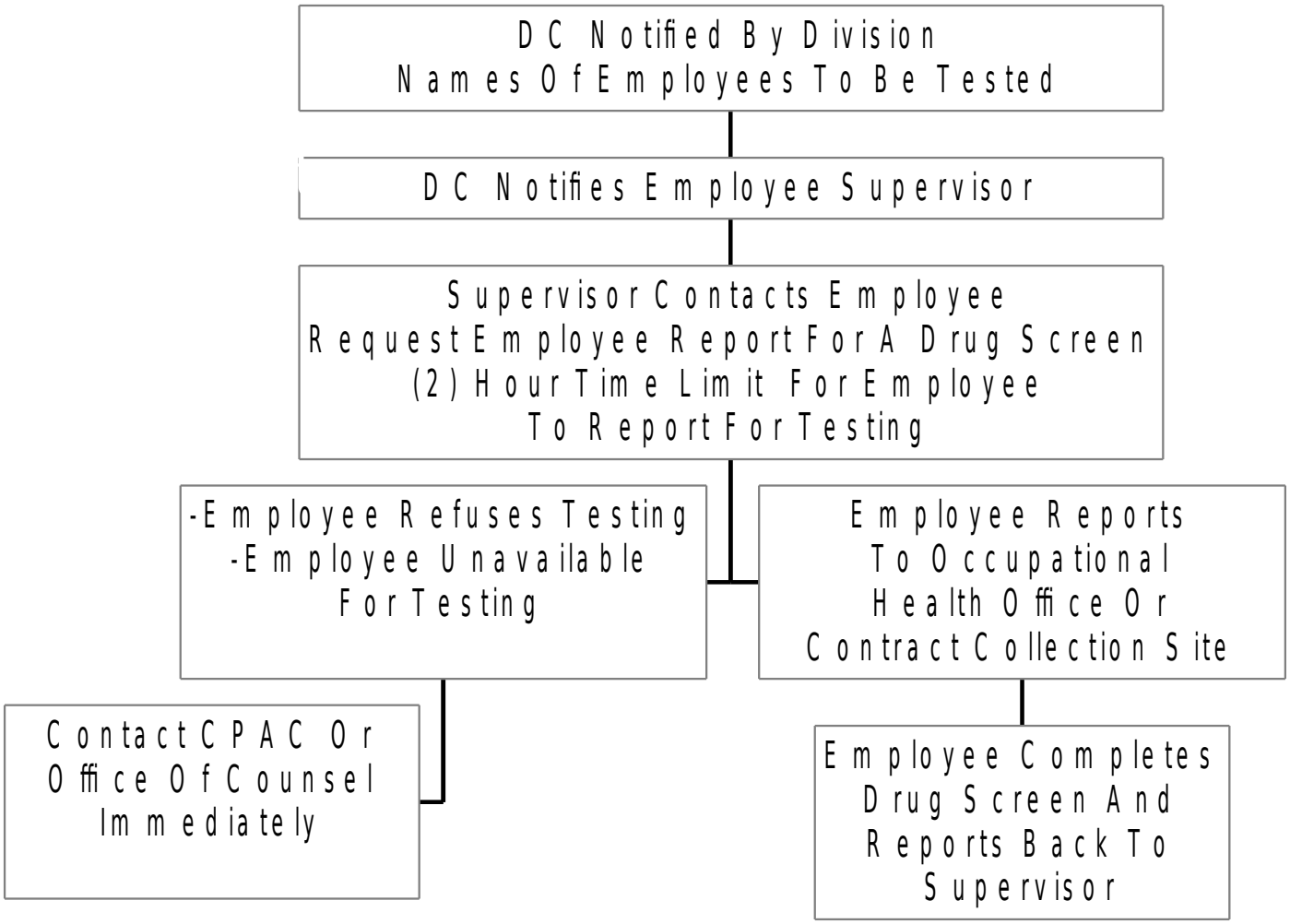
Random Testing Flow Chart



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Cost of Collection & Testing

- Division will be directly billed and will pass on the share of cost to Districts at a later date once the program is under way.

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“Finding” of Illegal Drug Use

- A finding of illegal drug use is based on:
  - Verified Positive Drug Test
  - Employee’s Admission
  - Criminal Conviction
  - Direct Observation

NOTE: Refusal to be tested is treated as a positive finding

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“Finding” of Illegal Drug Use (cont)

- Required Actions by employee’s supervisor when there is a finding of illegal drug use:
  - Assignment to a non-TDP position
  - Mandatory referral to EAP
  - Consideration of Discipline
  - Notify Security Officer, if clearance is condition of employment

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CONSEQUENCES

- First Finding Penalties
  - Reprimand
  - Suspension
  - Removal

AR 690-700 Chapter 752
Table of Penalties

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CONSEQUENCES (cont)

Discipline not required on first finding if employee:

- Voluntarily admits usage (before being tested)
- Obtains Counseling/Rehabilitation
- Remains Drug-Free

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CONSEQUENCES (cont)

Second Finding Penalties

- EO 12564 requires proposed removal for

  - Second finding of illegal drug use

  - Refusal to obtain counseling/rehab

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EMPLOYEE ASSISTANCE PROGRAM (EAP)

- EAP is a significant key to a Drug-Free Workplace
  - Assessment
  - Short-Term Counseling
  - Referral to Treatment Programs

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QUESTIONS ???
Call The NOD
Occupational Health
Clinic 504-862-2206